

# PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law MXX (2) for a Special Exception

a Class B office Building. ky such he said and and the colour such and the such as 

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

MAP <u>NE SE</u> N 16,470

Property is to be posted and advertised as prescribed by The Baitimore County Code. E 24,815

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Contract Purchaser: Legal Owner(s): Ambros Fellner (Type or Print Name) (Type or Print Name) Joseph Fellner GIU tella City and State Attorney for Petitioner: John Ø. Hennegan (Type of Print Name) City and State 809 Eastern Boulevard Name, address and phone number of legal owner, con-Baltimore, Maryland 21221 A & J Electric, Inc. City and State 4902 Hazelwood Avenue, Balto., MD 21206 Attorney's Telephone No.: Phone No866-5510

BABC-Form 1

AMBROS and JOSEPH FELLNER

#R-87-103-X Item #18, Cycle III, 1986

S/S Southwood Ave., 165' E. of E/S ofWestwood Ave.

14th District 0.87 acres

DR 5.5 to R.O. SE - Class B Office Building

Feb. 26, 1986 Petition filed

John O. Hennegan, Esquire 809 Eastern Blvd., (21221)

Ambrot and Joseph Fellner A & J Electric Co. 4902 Hazelwood Ave. (21206)

Petitioners

affected by the proposed office building. This concluded Petitioner's case.

neighboring resident and a local real estate broker ramiliar with the community,

vicinity of streets with no sidewalks, narrow in dimensions, and utilized by

homes in the \$80,000 range, and of recent sales of vacant land almost adjacent

the size of the proposed building as large for A & J use, and that the building

presented to the Board, it is our opinion that the petition for R.O. zoning and

of the property deems it undevelopable as a residential possibility for the

position, it would seem only logical to grant the requested zoning, as

owner. If the Council had before it during the map process this property as an

issue and all the information this Board has received concerning its landlocked

as designed in the documented site plan filed with the Department of Planning

and Zoning, will indeed present no detrimental factors to the surrounding

neighborhood and complies with all the requirements of Section 502.1, and

large numbers of student pedestrians. He described a community of single

to the subject property, for home construction. Mr. Stone also questioned

would become a cancer for future residential development.

a special exception be granted with restrictions.

recommended in July, 1986, by the Planning Board.

therefore the Board will grant the request.

People's Counsel presented only one witness, Mr. Robert Stone,

Mr. Stone expressed concern about increasing traffic in the

After careful consideration of all the testimony and evidence

It is most apparent from the plat of the area, that the location

Likewise, it is this Board's opinion that the proposed building,

James Earl Kraft Baltimore County Board of Education 212 Algburth Road (21204)

Phyllis Cole Friedman Norman E. Gerber James G. Hoswell Arnold Jablon Jean M. H. Jung

940 York

People's Counsel

Counsel for Petitioner

James E. Dyer Mr. Bob Stone 5827 North Hazelwood Avenue Baltimore, MD 21206

Ambros and Joseph Fellner

known as Overlea-Rosedale.

Case No. R-87-103-X

"for notification"

County Board of Appeals of Baltimore County Room 200 Court House Toluson, Maryland 21204 (301) 494-3180 December 11, 1986

John O. Hennegan, Esq. 809 Eastern Blvd. Baltimore, Md. 21221

Dear Mr. Hennegan:

Re: Ambros and Joseph Fellner Case No. R-87-103-X

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled matter.

> Very truly yours, June Holmen, Secretary

Encl. cc: Ambros and Joseph Fellner James E. Kraft Mr. Bob Stone Phyllis C. Friedman Norman E. Gerber James G. Hoswell Arnold Jablon Jean M. H. Jung James E. Dyer

Ambros and Joseph Fellner Case No. R-87-103-X

story office building of 8000 sq. ft. with ample parking would enhance the surrounding neighborhood. The Class B office building would not be detrimental to the community. It would alleviate parking congestion, improve a presently valueless property, and not interfer with other activities of the area. All utilities are in place and adequate for site development. Throughout Mr. Bafitis planning he has been in consultation with the Office of Planning.

Counsel for the Petitioner emphasized the probable error in zoning this property DR 5.5 because of the landlocked feature of the property and the undesirable aspects of existing commercial enterprises adjacent to the residential location.

Mr. John Wimbley, Planner for Baltimore County, testified for the Petitioner to the effect that the land is too shallow to build residential homes, lacked road access, and that home construction was not economically feasible. He further testified that the Petitioner had conferred with Planning and submitted a documented site plan, stipulating his intentions for the property. The plans concurred with present County Planning and the Planning staff recommended to the Planning Board that the site be reclassified to RO, and was so adopted by the Board in July, 1986.

Although the zoning was not an issue in 1984, Mr. Wimbley felt that the site was obviously overlooked and that an error was committed.

People's Counsel questioned reasons the Petitioner failed to request reclassification in 1984. Mr. Fellner testified that projected growth of the A & J Electric necessitated increased office space and storage. The existing facility would be utilized for storage and the proposed office building for strictly A & J office use. An addition in employees and vehicles at this site would not be anticipated from the present 20 employees and like number of vehicles. Neighborhood roads of limited dimensions would not be adversely

IN THE MATTER OF THE APPLICATION OF AMBROS and JOSEPH FELLNER FOR RECLASSIFICATION FROM DR 5.5 to R.O. and SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE SOUTH SIDE OF SOUTHWOOD AVE., 165' EAST OF THE EAST SIDE OF WESTWOOD AVE. 14th DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

No. R-87-103-X

OPINION

This case comes before the Board on a Petition for Reclassification of landlocked property located at the south side of Southwood Avenue, 165 feet east of the east side of Westwood Avenue, from DR 5.5 to R.O., and for a Special Exception to construct a Class B office building.

The Petitioner, Mr. Ambros Fellner, is the owner of commercial property located on Hazelwood Avenue adjacent to neighboring business establishments, namely, a Royal Farms Store and a tavern.

Immediately behind Mr. Fellner's A & J Electric, Inc. site, the subject property of this zoning reclassification is located, landlocked with no means of access or exit.

The Petitioner testified that he purchased the property in 1984 in a tax sale, which he attributed to the landlocked aspect of this residential site. He further stated that the wooded parcel of property is a place for dumping and meandering by transients. The only feasible entrance to the subject property is through the A & J location, fronting on Hazelwood Avenue.

A 15 foot wide strip of privately held land paralleling Southwood Avenue and sealing off the subject property virtually negates any other access to the site except through the site now used by A & J.

Counsel for the Petitioner presented Mr. William Bafitis, professional engineer and planner, who testified regarding his long term planning for an office building on the subject property. The proposed two

Ambros and Joseph Fellner Case No. R-87-103-X

ORDER

For the reasons set forth in the aforegoing Opinion, it is this that the reclassification from D.R. 5.5 to R.O. us petitioned for be and the same is GRANTED.

IT IS FURTHER ORDERED that the special exception for the Class B office building as petitioned for be and the same is GRANTED with the following restrictions:

- 1. Require that the site plan be recorded in the Land Records of Baltimore County.
- 2. Vehicle parking of A & J Electric employees shall be prohibited on adjacent arteries of traffic.
- 3. A & J employees will be directed not to use the narrow roads of the neighborhood.
- 4. The number of employees and vehicles of the A & J Co. shall not exceed 20 to 25.
- 5. The proposed office building shall not be for rental offices, but will be confined for use as an A & J office building.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Harry E/ Buchheister, Jr.

JUN 26 1987

REVISED PLANS III - 18

STATEMENT IN SUPPORT OF PETITION FOR ZONING RE-CLASSIFICATION

The property, which is the subject of this Petition for Zoning Re-Classification, is an unimproved 0.87 acres of land located north of Hazelwood Avenue immediately south of North Hazelwood Avenue and Southwood Avenue. The property is presently zoned DR 5.5 with its southern most property line being bounded by BL-CNS Zoning. Two of the commercial uses bordering the property line of the Petitioner are Royal Farm Store and A & J Electric Company. In addition on Southwood Avenue north of Petitioners property is a parcel of land being used as a contractor's equipment storage yard. The Petitioner proposes to obtain access to the site by way of Hazelwood Avenue through the property to the south of it owned by A & J Electric and the Petitioner would agree to restrict and deny access to the property from Southwood Avenue. As a result Southwood Avenue would become a natural buffer between Petitioner and residential areas sheltering the residences from all the commercial uses south of Southwood Avenue as opposed to attempting to develop Petitioner's property in the manner as provided by the Zoning Regulations, thereby creating an increase in traffic through the neighborhood, via Southwood Avenue. The granting of RO zoning would create a natural buffer between the properties north of Southwood and commercial properties on Hazelwood Avenue which is in line with the intent and purpose of RO Zoning.

The Petitioner claims that there was an error or mistake in the zoning at the last comprehensive rezoning process. First, the Petitioner states that the County Council failed to consider that the property was singularly unfit for residential purposes since it is unimproved and bordered by commercial zoning and there is no access to property off of Southwood Avenue. Secondly, the Council failed to consider that there would be less traffic and less traffic hazards from rezoning the property for commercial purposes than there would be in developing it under DR 5.5 zoning for single family residential homes. Thirdly, that this is the last piece of property in the area that is suitable for commercial purposes and that there is a need for additional commercial zoning in the immediate vicinity.

For all the above reasons and for additional reasons which would be demonstrated at a hearing on this matter by the Petitioner, Petitioner feels that he has illustrated a need for the requested re-classification./

> ROMADKA, GONTRUM, HENNEGAN & FOOS 809 Eastern Boulevard Baltimore, Maryland 21221 686-8274

Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

February 15, 1986

14th District Baltimore County, Maryland

Beginning for the same at the distance of (1) North 86 degrees 35 minutes East 165 feet and South 1 degree 00 minutes West 18 feet from the corner formed by the intersection of the south side of Southwood Avenue with the east side of Westwood Avenue, thence running for four lines of division as follows: North 86 degrees 45 minutes East 211.25 feet more or less, South 49 degrees 45 minutes East 192 feet more or less, South 86 degrees 45 minutes West 360.25 feet more or less and North 1 degree 00 minutes East 132.50 feet to the place of beginning.

Containing 0.87 acres of land more or less.

PETITION FOR RECLASSIFICATION

CASE NO. CR-87-103-X

South Side of Southwood Avenue, 165 feet East of the East Side of Westwood Avenue

Tuesday, November 18, 1986, at 10:00 a.m. PUBLIC HEARING:

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing:

To reclassify the property from a D.R. 5.5 Zone to an R.O. Zone and for a Special Exception for a Class B office building

All that parcel of land in the 14th Election. District of Baltimore County

Beginning for the same at the distance of (1) North 86 degrees 35 minutes East 165 feet and South 1 degree 00 minutes West 18 feet from the corner formed by the intersection of the south side of Southwood Avenue with the east side of Westwood Avenue, thence ruaning for four lines of division as follows: North 86 degrees 45 minutes East 211.25 feet more or less, South 49 degrees 45 minutes East 192 feet more or less, South 86 degrees 45 minutes West 360.25 feet more or less and North 1 degree 00 minutes East 132.50 feet to the place of beginning.

Containing 0.87 acres of land more or less.

Being the property of \_\_\_Ambros Fellmer, et al as shown on the plat plan filed with the Zoning Department.

> BY ORDER OF WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS BALTIMORE COUNTY

IN THE MATTER OF THE PETITION

Petitioners

: BEFORE THE COUNTY BOARD OF APPEALS

FOR ZONING RECLASSIFICATION FROM D.R. 5.5 TO R.O. (Documented) OF BALTIMORE COUNTY AND PETITION FOR SPECIAL EXCEPTION S/S of Southwood Ave., 166' E. of :

Westwood Ave., 14th District AMBROSE AND JOSEPH FEILINER, : Case No. R-87-103-X

> :::::: ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

> > Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, MD 21204

I HEREBY CERTIFY that on this 6th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to John O. Hennegan, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioners; and A & J Electric, Inc., 4902 Hazelwood Ave., Baltimore, MD 21206 which requested notification.

Peter Max Zimmerman

BALTIMORE COUNTY, MARYLAND OFFICE OF I NANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

- B 1 ] [ \* + = 4 + 6 ] ] [ { } { } ] = " - - - - [

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

November 12, 1936

John O. Hennegan, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> RE: PETITION FOR ZONING RECLASSIFICATION AND SPECIAL EXCEPTION S/S of Southwood Ave., 165' E of the E/S of Westwood Ave. 14th Election District Ambros Fellner, et al - Petitioners Case No. CR-87-103-X

Dear Mr. Hennegan:

This is to advise you that \$400.96 is due for advertising

and posting of the above property. This fee must be paid before an Order is issued. THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POS RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Zoning Commissioner

AJ:med

<sub>G</sub>O John O. Hennegan, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

LOCATION:

00 October 22, 1936

NOTICE OF HEARING

RE: S/S Southwood Ave., 165' E of the E/S of Westwood Ave. 14th Election District Ambros Fellner, et al - Petitioners Case No.CR-87-103-X

TIME:	_10:00 a.m.		
DATE:	Tuesday, November 18, 1986		
PLACE: Room 2	18, Courthouse, Towson, Maryland		

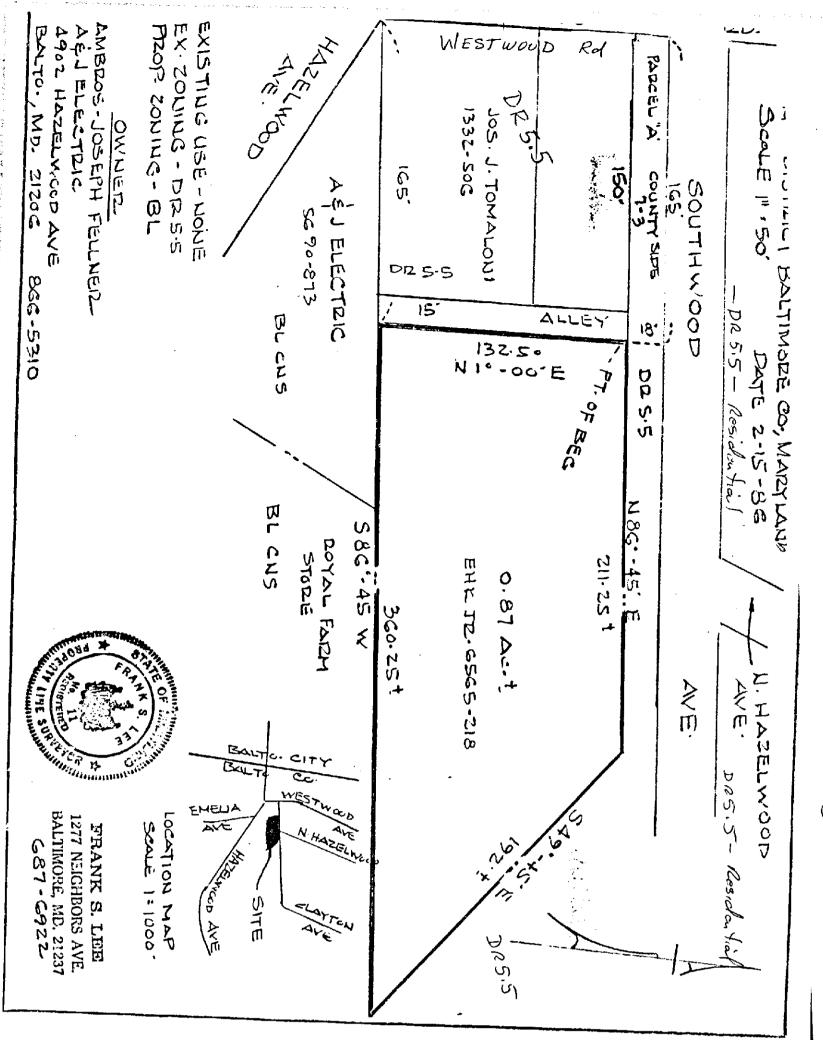
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TIMORE COUNTY, MARYLAND	No
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CELLANEOUS CASH RECEIPT	
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0. 18419 rd of Appeals

s Counsel for Baltimore County

Y A WEEK BEFORE THE HEARING. THE HE ZONING OFFICE, ROOM 113, COUNTY

VALIDATION OR SIGNATURE OF CASHIER



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## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 21, 1986

COUNTY OFFICE REDG. 111 W. Chesaucake Ave. Towson, Maryland 212n4

Chairman

MEMBERS

Traffic Engineering

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

State Roads Commission

Engineering

Bureau of

Development

John O. Hennegan, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

RE: Item No. 18 - Cycle No. III Petitioner: Ambros Fellner, et al

Reclassification Petition

Dear Mr. Hennegan:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April-October reclassification cycle (Cycle III). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Flans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies! standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office before November 17, 1986. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

IN THE MATTER OF THE PETITION \* BEFORE THE FOR ZONING RECLASSIFICATION COUNTY BOARD FROM D.R. 5.5 TO R.O. ( Documented) \* AND PETITION FOR SPECIAL EXCEPTION OF APPEALS S/S OF SOUTHWOOD AVE., 166' E. of \* OF BALTIMORE COUNTY

S U M M O N S

Please issue a Summons for the following:

John L. Wimbley Office of Planning and Zoning County Courts Building 401 Bosley Avenue Room 406 Towson, Maryland 21204

Returnable Tuesday, November 18, 1986 at 10:00 a.m., Board of Appeals of Ealtimore County, Towson, Maryland 21204, to bring with him any and all records pertaining to the above referenced matter.

> ROMADKA, GONTRUM, HENNEGAN & FOOS , / 809 Eastern Boulevard Essex, Maryland 21221

\* Case No. R-87-103-X

Mr. Sheriff:

Please issue the above summons.

June Holmen, Board of Appeals

Westwood Ave., 14th District

AMBROSE AND JOSEPH FELLMER.

PETITIONERS

October 21, 1986

Item No. 18, Cycle III

Page Two

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency.

Very truly yours,

Com 18. 21/20/2016

Zoning Plans Advisory Committee

JED:kkb (MS018) Enclosures

cc: Bafitis & Associates 3482 Dunhaven Road Ealtimore, Maryland 21222 BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2366
494-4500

PAUL H REINCKE CHEE

Mr. Arnold Jablen Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: William Hackett Chairman, County Board of Appeals

Sh: Froperty Owner: Ambros Fellner and Joseph Fellner

CC: Jurns Hosmell

Location: S/S Southwood Avenue, 165' E. of the E/S of Westwood Ave.

A Service Court (Service Court)

ADZIL 23, 1986

E/S OFWESTWOOD ANG.

The Division of Correct Pianning and Davelorment has neviewed the subject inclining of Corrects. The items Checked below are

There are no site clamated factors requiring content, AFTHISTIME

A County Seview aroup Meeting is requiring content, AFTHISTIME

Consider Seview aroup meeting was neighand the minutes will be

( ) This site is part of a larger tract; therefore it is defined as a

( ) A record plat will be required and must be recorded order

( ) A record plat will be required and must be recorded order

( ) The access is not satisfactory.

( ) The parameter of a particular section of the plan.

( ) Parking casculations must be shown on the plan.

( ) This process contains soils which are defined as wetlands, and

This enterity contains sails which are defined as wetlands, and development on these soils is promitted.

( )Construction in or alteration of the floodolsin is promitted

under the provisions of Section 22-93 of the Development

the saltimore County Caster Wiln.

( ) The intended Development Plan was approved by the Planning Board

(X) The property is sociated in a trained area controlled by a "O" lavel intersection is defined by Sill 170-79, and is conditions change trained conducted horsely by a condition change for various lated for the conditions of the County Council.

Regulations.
( )Development of this site may constitute a potential conflict with the Baltimore County Master plan.

On

| Candiscaping: Pust comply with saitiffore county candiscape Manual.
| The property is located in a defiction service area as defined by Sail 178-79. No building points hay be issued until a Reserve capacity Use Centificate has been issued. The sefficient service

JESUBJECT PROPERTY IS REZOVED ANY FUTURE DEVELOPMENT OF THE SITE MUST MEET THE MENT REDUCED PLEUELOP

Estana a. Boton

Const. Correct Hanning and Savelopment

Terris 18-CYCLE III OCYCLEIII-RECLOSS.

LOCATION SIS SOUTHWOOD AVE. 165'EOF

Mr. Arnold Ostion Spring Commissioner

County Office Sufferon Forson, Maryiand 20224

Item No.: 18 Zoning Agenda: Cycle III

Gentlemen:

4/86 - 10/86

May 13, 1986

Pursuant to your request, the referenced property has been surveyed by this Sureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(x) 1. Fire hydrants for the references property are required and shall be located at intervals or \_\_\_\_\_300 \_\_feet along an approved road in accordance with Baltimore County Standards as published by the Department of Fublic Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( imes ) 5. The buildings and structures existing or proposed on the size shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior

( ) 6. Site plans are approved, as drawn.

) 7. The Fire Prevention Bureau has no comments at this time.

L. Lre Prevention Bureau Special Inspection Division

/mb

BALTIMORE

LAW FIRM ROMADKA. GONTRUM. HENNEGAN & FOOS ESSEX, MARYLAND STEPHEN E. COLLING DIRECTOR

May 19, 1986

Mr. William Hackett, Chairman Board of Appeals Office of Law, Courthouse Towson, Maryland 21204

> Cycle III Item No.

April 1986

Property Owner: Location:

Ambros Fellner and Joseph Fellner S/S Southwood Ave., 165' E of the E/S of Westwood Ave.

Existing Zoning: Proposed Zoning:

D.R. 5.5 R.O.: Special Exception Class B Office Bldg. 0.87 acres Acres: 14th Election District District:

Dear Mr. Hackett:

The existing D.R. 5.5 zoning can be expected to generate 40 trips per day, and the proposed R.O. zoning can be expected to generate approximately 140 trips per day.

This site should have only one point of access. The plan should be revised to show the flood plain, all entrances, fence in the center of the west driveway, and show lot line on the S.E. side of the property.

( ) Existing ( ) Proposed (X) Not Applicable

D. SOILS (Refer to: Baltimore County Soil Survey and

Permit Number: N/A

C. WATER SUPPLY

· Coastal Beaches

Codorous

\* Dunning

- Fallsington Fa, Fs

Glenville GnA, GnB

Very truly yours,

Traffic Engineer Associate II

Othello

\* Pocomoke

\* Swamp

Marsh

\* Watchung

Woodstown

WaA, WaB, WcB

MSF:1t

# BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William F. Hackett - Chairman TO Appeals Board Charles E. "Ted" Burnham FROM Plans Review Chief, Department of Permits & Licenses

SUBJECT\_April - October 1986 - - Zoning Classification - - Cycle III

Property Owner: Item #18 Contract Purchaser:

No further comment at this time.

Ambros Fellner and Joseph Fellner

Location:

S/S Southwood Avenue, 165' E of the E/S of Westwood Ave.

Existing Zoning: Proposed Zoning: Acres: District:

R.O.: Special Exception Class B. Office Building 0.87 Acres

14th. Election District

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The proposed structure shall comply with the Baltimore County Building Code, Council Bill #17-85 including the 1984 Edition of the B.O.C.A. Basic Building, Mechanical, and Energy Codes as amended and adopted by the above Council Bill.

Buildings two or more stories of 4000 square feet or more require an elevator for handicapped use. Buildings under 4000 square feet require only the first floor be acceptable and useable by the handicapped.

Provide 1 handicapped parking space with the required signs, ramps, curb cuts,

CEB/vw

OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 Norman E. Gerber Director

# 15 mm

John O. Henn∦gan, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> Re: Documented Zoning Reclassification Petitions: Cycle III

Dear Mr. Hennigan:

During the processing of Cycle III petitions, I noticed that you have filed a petition (Item No. 18) with documentation as governed by Section 2-58.1 (1) of the Baltimore County Code. In view of the office's past experience with this type of petition, I decided to alert you to a possible problem that may arise if and when this project proceeds in the development process.

July 2, 1986

As I'm sure you know, there is no County law requiring any petitioner to complete County Review Group (CRG) processing prior to filing and proceeding with a zoning request. You're also aware of the fact that any zoning reclassification granted under the aforementioned 2-58.1 (1) section of the code must be developed in strict conformance with the site plan approved by the County Board of Appeals. Consequently, in those cases where the petitioner obtains the reclassification and proceeds to CRG, and changes are required in the site plan, the petitioner must repeat the zoning process to obtain County Board of Appeals approval of the revised plan. Such a process includes staff and Planning Board review, and the decision by the Board of Appeals is subject to appeal.

The bottom line is that I cannot require that petitioner's complete CRG processing before filing a zoning reclassification with documented plans, but I do want you to be aware of the potential problems.

NEG:bis

CC: William T. Hackett, Chairman, County Board of Appeals Phyllis C. Friedman, People's Counsel Susan Carrell, Chief, Current Planning & Development Arnold Jablon, Zoning Commissioner

If you have any questions concerning this matter, please feel free to call. Sincerely, James G. Hoswell E. TOPOGRAPHY Is any portion of this site located within the 100 year floodplain? ( X ) Yes ( ) No If yes, describe your plans for protecting the floodplain: A 50' buffer consisting of existing trees shall be maintained from the existing stream Are there slopes on site where the grade is 25 percent or greater? ( ) Yes ( X ) No If yes, describe your plans for protecting the steep slopes:

•	VEGETATION				
	Describe the existing vegetation at this site:				
	Completely wooded site.				
	No.				

vegetation at this site:

Maintaining as much of existing woods as possible and

providing planting screen around proposed building.

REVISED PLANS TIT-18

REQUIREMENTS FOR ENVIRONMENTAL EFFECTS REPORT BALTIMORE COUNTY DEPARTMENT OF HEALTH BUREAU OF ENVIRONMENTAL SERVICES

A. GENERAL INFORMATION

	Site Name: Fellner Property	
	Address:	
	Location: 165' N.E. from corner of Westwood and	
	Southwood Avenues Description of Proposed Development Petition for	
	Reclassification from DR 5.5 to R.O. Zoning for	
	proposed Office Building	
	Site of Development (Acres): 0.87	
	Proposed Number of Lots: 1	
	Owner/Developer: Ambrose and Phone 866-5510	
	Joseph Fellner Address: 4902 Hazelwood Ave, Balto. Md. 21206	
	Engineer/Consultant: Bafitis and Associates	
	Phone: 285-3212	
	Address: 3482 Dunhaven Rd. Balto. Md. 21222	
	Baltimore County Water & Sewer Plan Designation:  W Public S Public	
в.	WASTEWATER DISPOSAL	
	Proposed Method of Sewage Disposal:	
	(X) Public sewerage system	
	( ) Individual sewage disposal (septic system)	
	( ) Other (specify)	
-	Is there an existing or proposed National Pollutant	
	Discharge Elimination System (NPDES) Permit for this site?	
	site:	
		Charles es
G.	HYDROLOGY	
	IN this site located in a catemated chief accident	
	Is this site located in a watershed which drains to Loch	
	Raven, Prettyboy or Librty Reservoir? ( ) Yes (X ) No	
	Raven, Prettyboy or Librty Reservoir? ( ) Yes (X ) No Is this site located within the Chesapeake Bay Critical	
	Raven, Prettyboy or Librty Reservoir? ( ) Yes (X ) No  Is this site located within the Chesapeake Bay Critical  Area? ( ) Yes (X) No	
	Raven, Prettyboy or Librty Reservoir? ( ) Yes (X ) No  Is this site located within the Chesapeake Bay Critical  Area? ( ) Yes (X) No  Are there perennial streams at or within 100 feet of this	
	Raven, Prettyboy or Librty Reservoir? ( ) Yes (X ) No  Is this site located within the Chesapeake Bay Critical  Area? ( ) Yes (X) No  Are there perennial streams at or within 100 feet of this  site? (X) Yes ( ) No	
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If yes, describe the stormwater management methods/

structures proposed for this site and the area served by

Permit Number		- th - Annlie	antion.		If a wetland soil type (*) or wetland conditions exist at		
Attach a copy	of the NPDES	Permit or Applic	54610	A CONTRACTOR OF THE CONTRACTOR	this site, (1) attach an aerial photograph or plan		
WATER SUPPLY				A STATE OF THE STA	indicating the extent of the wetland. (2) mark the extent		
(X) Metropoli	tan District	( ) Small Commu	nity		of the wetland in the field by flagging or stakes, prior		
( ) Individua	al Wells						
		County Soil Sur	vey and		to clearing or grading, and (3) describe your plans for		
SOILS (Refer to: Baltimore County Soil Survey and Baltimore County Wetland Guidelines)				S. Bereconsta	protecting the wetland: There is a stream running		
Do any of the	e soil types l	listed below exis	t at this site?	e dicembra significante de la companya de la compan	along the east side of this property which will be		
( X) 163 .		yes, circle the	•	Approximate the second of the	protected by a 50' buffer.		
symbol(s).	(* indicates )	primary wetland s	soil type)	man versional			
SOIL SERIES/M	AP SYMBOLS	SOIL SERIES/MAR	SYMBOLS				
Aldino	Ada	Iuka	Iu				
* Alluvial		Kelly	KeB2, KeC2, KaC				
Land	AV						
* Baile	BaA, BaB	Lenoir	L1B, (LmB) LmC2, LnC3				
Barclay	Br	* Lenardtown	Lr				
Beltsville	Bta	Linside	Ĺs				
	CaA	Mattapex	MlA				
Captina							
<ul> <li>Coastal</li> </ul>		" Malvin	Mn. Mo				

Hatboro

storage area shall be the proposed Stormwater	( ) to the manual of Office of Diapoing and Zoning)		more shaded
Management facility providing management for the	J. ZONING (refer to maps at Office of Planning and Zoning)		5. Location of aprings, intermitten atreams, perennial
entire site.	Zoning Proposed Number of Units Classification Acres or Sq. Feet of Structure	L. IMPACT ON WATER QUALITY	streams, and bodies of water into which this sate
	•	Discuss the significance of the proposed development on	directly drains
Are there any existing or proposed water supply wells or	Ex. DR-5.5 0.87	the water quality, biological integrity, and	6. Existing land use
wastewater disposal systems within 100 feet of the	proposed R.O. 0.87 2 Story Office Building	eutrophication potential of the receiving waters	7. Proposed land use
proposed stormwater management facilities?	Totaling 8,000 S.F.	(attach supplemental pages): With the proposed	8. Location of propsed open space
( ) Yes ( X) No		wooded buffer and stormwater management facility impact	9. Location of proposed stormwater management facilities
I. CHEMICAL HANDLING AND STORAGE		on water quality should be minimal	10. Location of NPDES discharge points(existing and
Has this site been used previously or is it proposed to	K. LAND USE		proposed )
be used for handlings, storage, stockpiling or disposal		M. WATER QUALITY BEST MANAGEMENT PRACTICES (SMP'S)	11. Location of proposed water quality BMP's, including
of radioactive materials, pathological materials,	EXISTING PROPOSED  LAND USE LAND USE	If your environmental effects evaluation reveals any	buffers
chemicals, petroleum products, deicing compounds,	Number % of Number % of	potential adverse water quality impacts, describe	12. Location of radioactive materials, pathological
fertilizers or similar materials? ( ) Yes ( X) No	of Acres Acres of Acres Acres	familities and/or activities to reduce such impact	
Is there an existing or propsed Maryland Designated	The state of the s	(attach supplemental pages):	materials, chemicals, petroleum products, deiding
Hazardous Substances Facility permit for this site?	Residential	See attached page for SMP'S to be completed with.	compounds, fertilizers or similar materials (past.
	Commercial (Office Building) 0.51 70%		existing and proposed)
( ) Existing ( ) Proposed ( X) Not Applicable	Industrial		13. Delineation of the boundaries of the proposed
If yes to any of the above questions, please contact	Crops		development site on a copy of the appropriate 500
Technical Services at 494-3811.	Pasture	V. MACDER THEODY ARTON	scale <u>Baltimore County Soil Survey Yap</u> (available
·	Meadow	N. MAPPED INFORMATION	for sale from Baltimore County Department of Public
	Forest <u>0.87 100%</u> 0.25 30%	The following information shall be submitted in map form	Works)
	Other (Specify)	at a scale of 1" - 190' unless otherwise indicated:	14. Critical areas legislation may require additional
	Total 0.87 100 0.87 100	1. Delineation of soil types	information.
	local v.o.	2. Location of State wetlands and Baltimore County	
		wetlands	
		3. Delineation of the 100-year flood plain, which is	
		defined as peginning when the upstream drainage ares	
		edagis or endeeds ruthah gonse	
		4. Existing topography with contour intervals of a	
			o
	Section III		CERTIFICATE OF PUBLICATION
			PETITION FOR RECLASSIFICATION Came No. CR-87-183-X
		CERTIFICATE OF POSTING	LOCATION: South Side of Southwood Avenue  East Side of Westwood Avenue  TOWSON, MD.,  Cotober 30  19.
		ZONING DEPARTMENT OF BALTIMORE COUNTY R- 87-103-X	November 18, 1986, at 10:00 A.M.  THIS IS TO CERTIFY that the approach advantage of the company
	BEST MANAGEMENT PRACTICES	Town, Maryland	The County Board of Appeals for  Baltimore County, by authority of the  Baltimore County Charter, will hold a  public bearing:  Published in THE JEFFERSONIAN, a weekly newspaper print
		District 11/7/2  Date of Posting 19/24/86	To reclassify the property from a
O. SIGNATURE		Posted for: Reclossitive tion + Special Freshier	for a Special Exception for a Class B office building  All that parcel of land in the 14th Election District of Baltimore County  Cotober 30 19 86
I, <u>William N. Bafitis</u> , acknowledge that	As a condition for approval of a CRG plan, the developer agrees	Petitioner: Markoros Felluer, et al	Election District of Baltimore County BEGINNING FOR THE SAME at the distance of 1- North 86 degrees 35 minutes East 165 feet and South 1 de-
I am the owner, contract purchaser or legally authorized	to follow the Best Management Practices:	Location of property: 5/5 South wood livery 115" F. of Els Walnut Her	gree 00 minutes West 18 feet from the corner formed by the intersection of the courts safe of Southwood Asemue
representative of either and that I Understand the re-	1. All areas except those used for buildings, sidewalks, and paved parking will be planted with permanent vegetative cover and/or		with the east side of Vestwood Avenue, thence running for four times of divi- sion as follows: North 86 degrees 45
quirements for Environmental Effects Reports and that the	landscaped as soon as possible after final grading and maintained	Location of Signs: Lacing South wood tre approx 2 or roodway.	munutes East 211.25 feet more or less. South 49 degrees 45 minutes East 192 feet more or less. South 86 degrees 45
information I have provided is true and correct to the	in such condition.	Don freperty of felitioner	minutes West 360.25 feet more or less and North 1 degree 00 minutes East 132.50 feet to the place of beginning.
best of my knowledge, information and belief.	2. Dirt and debris accumulating on private roads and parking lots	Remarks:	less.  Being the property of Ambros Fell-
APPLICANT'S SIGNATURE:	will be removed according to the following schedule: May through	Posted by Signature Date of return: 10/31/86	ner, et al as shown on the plan filed with the Zoning Department. By Order Of
DATE: 4/11/86	October, concurrent with grass mowing; November through April.  monthly.	Number of Signs:	WILLIAM T. HACKETT, Chairman County Board of Agents  Refumore County  Refumore County
			Baltimore County 10/393 Oct. 30,
	<ol> <li>Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.</li> </ol>	The state of the s	· · · · · · · · · · · · · · · · · · ·
	4. Application of fertilizers, herbicides and pesticides will not		
	exceed recommendations of the University of Maryland Cooperative		
	Extension Service.	Reclassification	and the state of t
	5. Filling will not occur in grassed or lined drainage ditches or	CASE NO. CR-87-103-X LOCATION: South Side of South-	
	swales.	wood Avenue, 165 feet East of the East Side of Westwood Avenue.  PUBLIC HEARING: Tuesday, No-	$\star\star$
	It is expected that these requirements will be complied with	vember 18, 1986, at 10:00 a.m.  The County Board of Appeals for Baltimore County, by authority of the	
	for Public Works projects.	Dublic hearing:	
		To reclassify the property from a  D.R. 5.5 zone to an R.O. Zone and for a  Special Exception for a Class B office building.	
		All the parcel of land in the 14th  Election District of Baltimore County  Was inserted in (Ite Times, a newspaper printed	
		tance of (1) North 86 degrees 35 min- utes East 165 feet and South 1 degree	
		on minutes West 18 feet from the carner formed by the intersection of the south side of Southwood Avenue with	
		the sast side of Westwood Avenue, thence running for four lines of division as follows: North 86 degrees 45	
		South 40 degrees 45 minutes East 192	
		feet more or leas, South 86 degrees 45 minutes West 360.35 feet more or leas and North 1 degree 00 minutes East	
		132.50 feet to the place of beginning. Containing 0.87 acres of land more or less.	
Chieval Section of the Contract of the Contrac	Separation of the separation o		

William T. Hackett
Chairman, Councy Board of

each method/structure: A under ground detension

TOWSON, MD., Cctober 30 , 19.86

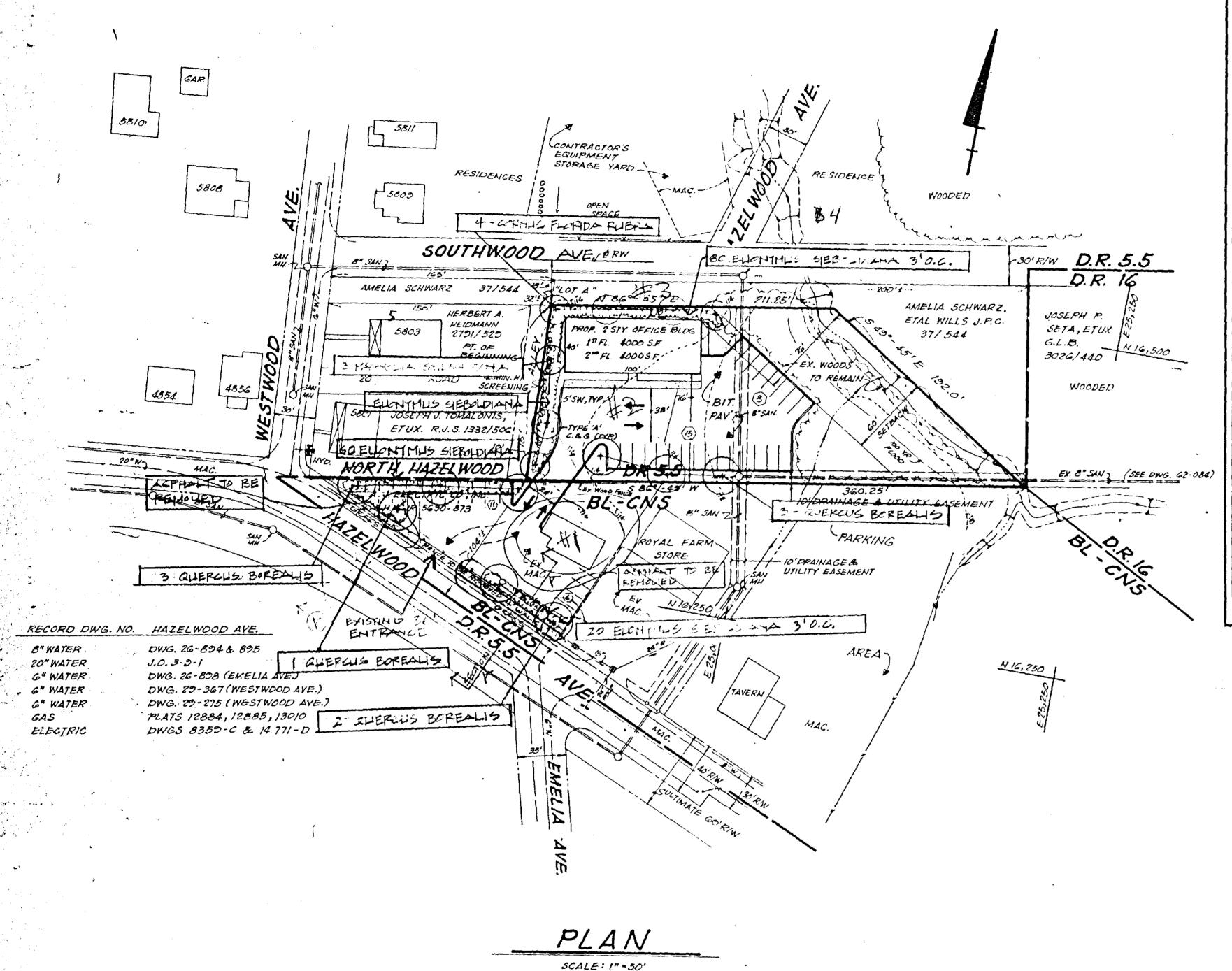
Publisher

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., appearing on

maximum of 5 feet indicated and slopes of 25% or



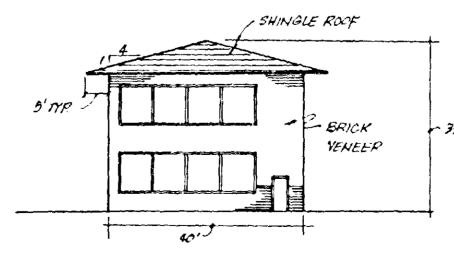
CAG Approval Date: Building Permit #. Office Building Hazelwood Avenue Control #\_ Bultimore, Maryland 21206 Schematic Planting Plan Appenzeller & Associates Landscape Architects • Land Planners One Lake Ridge Place, Hunt Valley, Maryland 21030 (301) 628-6334 Scale: 1"=50"/Date: July 7, 1986 • Plant Schedule • luan. Botanical Name Remarks 2"-2 1/2" cal /B&B 5'-6' ht /B&B 9 Quercus Borealis 4 Cornus Florida Rubra Pink Dogwood 5'-6' ht /8&8 Magnotia Soulangeana Euonymus Sieboldiana Saucer Magnolia 18"-24" ht /B&B Siebold Euonymus Tree Requirements: All plant material shall be guaranteed for one year Exterior Reads: 220/1 Tree per 40' = 6 # Provide 2" depth Pine Bank Mulch for all Trees: Interior Reads: 40'/1 Tree per 20' = 2
Parking Spaces: 27 spaces @ 1 tree /12 spaces = 3 This drawing to be used for planting only. · Stake or Duy all Trees • Final location of all plant material will be ■ Total Trees Required = 1! determined in the field by the Landscape \* Total Major Deciduous Trees Previded = 9 Total Minor Deciduous Trees Previded = 7 Sod All Shrub Planting Areas A one-year maintenance and warranty period shall be provided by contractor. Landscape Specifications shall conform to Landscape Specification Guidelines for Baltimore-Washington Metropolitan Area" "I certify that the schematic planting plan shown herein is consistent with the goal -4'-k-4'-k-8' Buffer -> Evergreen Screen and intent of the Baltimore County Landscape Manual, 1983, and meets all applicable policy, guidelines, and ordinances." Signature of Applicant • Section A • Scale: 1/8" = 1'-0"

VICINITY MAP

RECLASSIFICATION ITEM Nº 18

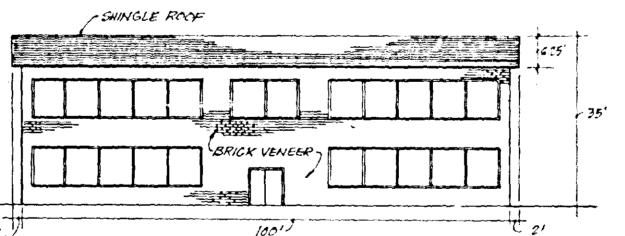
Bafitis & Associates

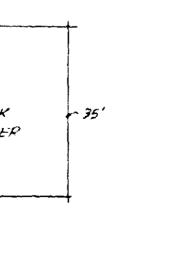
FRONT ELEVATION



RIGHT SIDE ELEVATION

PROP. CL.'B' 2 STORY OFFICE BUILDING





TO ACCOMPANY PETITION FOR RECLASSIFICATION FROM DR 5.5 TO R.O. & SPECIAL EXEMPTION FOR CLASS B' OFFICE BLDG. BALTO. COUNTY, MAPYLAND SCALE 1"= ~ . JOB ORDER NO. DATE 4-14-86 REVISIONS

SITE PLAN

PARKING DATA

1ST. FLOOR - 4000 S.F. 1 PARKING SPACE PER 300 SF. .. 4000/300 = 13.3 14 SP. REQ'D

2 ND. FLOOR - 40 00 S.F. 1 PARKING SPACE PER 500 S.F. .. 40 00 / 500 = 8 8 SP REQ'D

TOTAL OF 22 SPACES REQUIRED

TOTAL OF 23 SPACES PROVIDED AND SHOWN AT D'X 20'

OWNER

AMBROS & JOSEPH FELLNER A & J ELECTRIC 4902 HAZELWOOD AVE. BALTO., MD. 21706 866-5310

EXISTING USE - NONE EXISTING ZONING - DR 5.5 PROP. USE - 2 STORY OFFICE BLOG. (CL.E') PROP ZONING - R.O.

AREA OF LOT = 0.87 AGRES 6565/218

GENERAL INFORMATION:

1. HOURS OF OPERATION: 7A.M. - GP.M. MAX. NO. OF EMPLOYEES: APPROX. 20 MAX. LEVELS OF EMANATIONS: MINIMAL

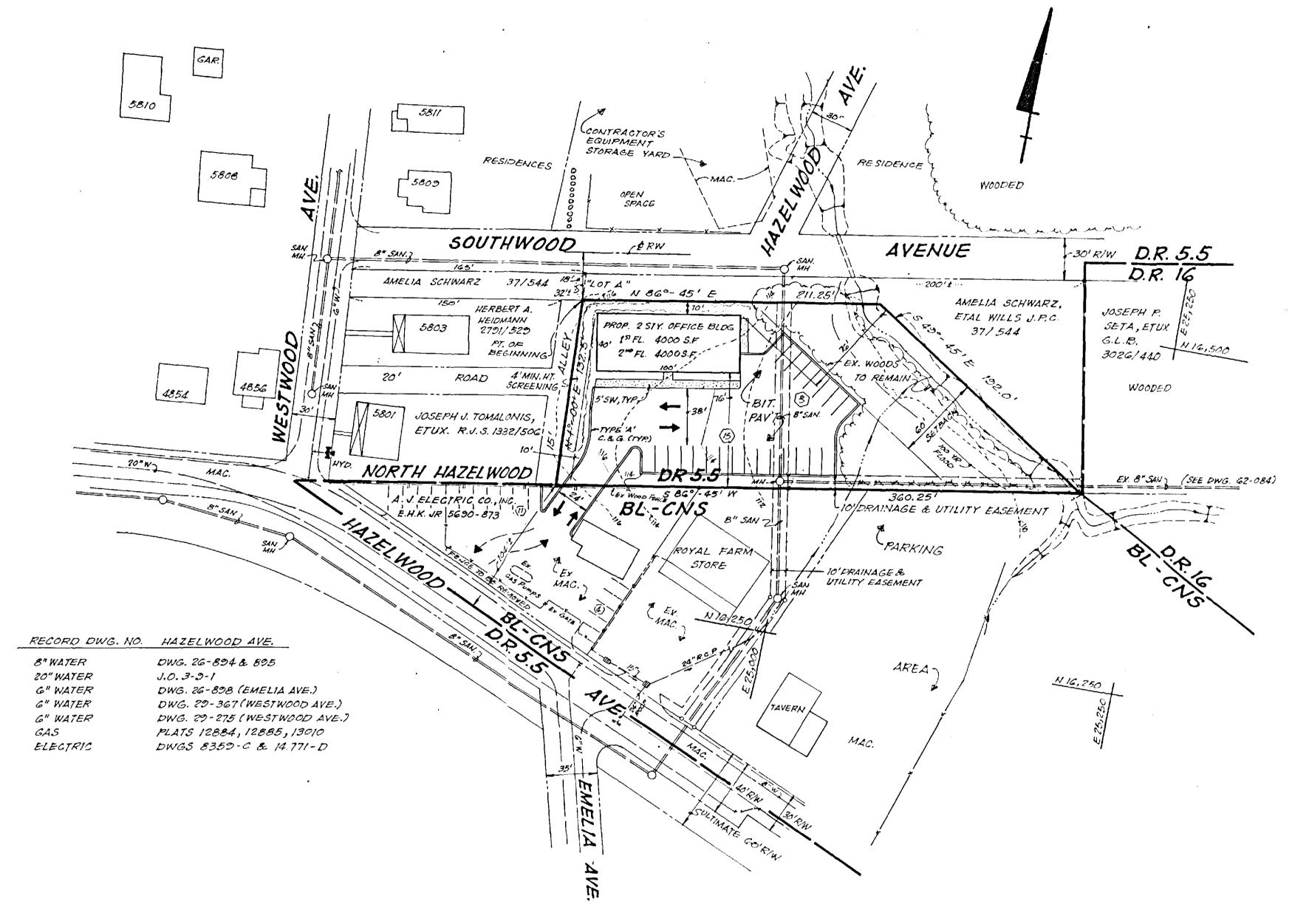
2. PROPERTY LINE INFORMATION OBTAINED FROM FRANK S. LEE , PLAT & DESCRIPTIONS. PATED : 2-16-8G

MICROFILI'

William N. Balitis, P.E.

Civil Engineers / Land Planners / Surveyors 3482 Dunhaven Rd. Baltimore, Md. 21222

301-285-3212



PLAN

# PARKING DATA

15T. FLOOR - 4000 S.F. 1 PARKING SPACE PER 300 SF. .. 4000/300 = 13.3 14 SP. REQ'D

2 ND. FLOOR - 40 00 S.F. 1 PARKING SPACE PER 500 S.F. : 40 00 / 500 = 8 8 SP. REG'D

TOTAL OF 22 SPACES REQUIRED

TOTAL OF 23 SPACES PROVIDED AND SHOWN AT D'X 20'

## OWNER

AMBROS & JOSEPH FELLNER A& J ELECTRIC 4902 HAZELWOOD AVE. BALTO., MD. 21206 866-5310

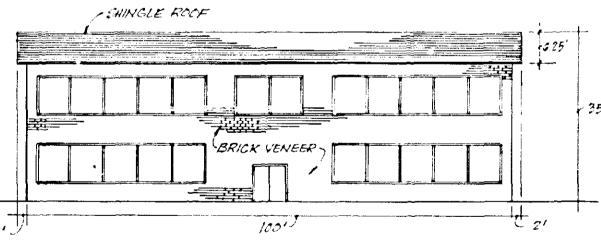
EXISTING USE - NONE EXISTING ZONING - DR 5.5 PROP. USE - Z STORY OFFICE BLOG. (CL.'B') PROP ZONING - R.O.

AREA OF LOT = 0.87 AGRES 6565/218

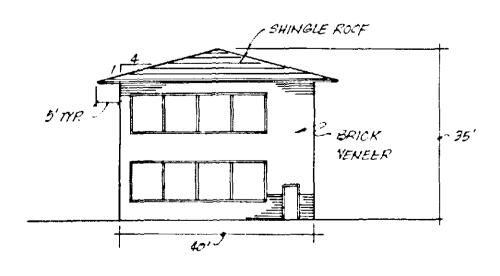
## GENERAL INFORMATION:

1. HOURS OF OPERATION: TAM. - GP.M. MAX. NO. OF EMPLOYEES: APPROX. 20 MAX. LEVELS OF EMANATIONS: MINIMAL

2. PROPERTY LINE INFORMATION OBTAINED FROM FRANK S. LEE, PLAT & DESCRIPTIONS. DATED: 2-15-8G



FRONT ELEVATION



RIGHT SIDE ELEVATION

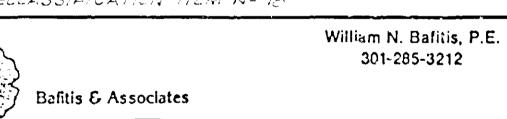
PROP. CL. 'B' 2 STORY OFFICE BUILDING



SCALE: 10= 2000'

HOUSE LINE

RECLASSIFICATION ITEM Nº 18



Civil Engineers / Land Planners / Surveyors 3482 Dunhaven Rd. Baltimore, Md. 21222

SITE PLAN TO ACCOMPANY PETITION FOR RECLASSIFICATION FROM DR 5.5 TO R.O. & SPECIAL EXEMPTION FOR CLASS B' OFFICE BLDG.

14 TH ELECTION DISTRICT OF BATTO, COUNTY, MARYLAND SCALE AS SHOWN JOB ORDER NO. DATE 4-14-86 REVISIONS DATE OFFICE CORY

MICROFILMED

KEUFFEL & ESSER B-6542